

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROBERT W. TESSEN,

Plaintiff,

v.

OPINION & ORDER

CAPTAIN NELSON, SGT. D. BOETCHER,
and OFFICER L.P.L.,

16-cv-666-jdp

Defendants.

In an order entered on November 15, 2016, I dismissed plaintiff Robert Tessen's complaint for Tessen's failure to comply with Federal Rule of Civil Procedure 8. Dkt. 6. I gave Tessen until December 6, 2016, to submit a proposed amended complaint addressing the deficiencies I discussed in the November 15 order. In addition, I warned Tessen that his failure to respond would result in dismissal of this case with prejudice for his failure to state a claim upon which relief can be granted and that he would be issued a "strike" in accordance with 28 U.S.C. § 1915(g). *Id.* at 4; *see also Paul v. Marberry*, 658 F.3d 702, 704-05 (7th Cir. 2011) (court should give strike for failure to correct pleading that violates Rule 8).

It is now past Tessen's deadline, and he has not filed an amended complaint or otherwise responded to the court's order. Accordingly, I will dismiss the case and assess Tessen a strike.

ORDER

IT IS ORDERED that:

1. This case is DISMISSED with prejudice for plaintiff Robert W. Tessen's failure to state a claim upon which relief can be granted. The clerk of court is directed to enter judgment and close this case.

2. The clerk of court is directed to record a “strike” for plaintiff under 28 U.S.C. § 1915(g).

Entered January 4, 2017.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge